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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/759,474	01/12/2001	Philipp H. Schmid	M61.12-0321	1733

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EXAMINER	
OPSASNICK, MICHAEL N	

ART UNIT	PAPER NUMBER
2655	

DATE MAILED: 07/12/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/759,474	SCHMID ET AL.	
	Examiner	Art Unit	
	Michael N. Opsasnick	2655	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on 13 May 2005.

2a)☒ This action is **FINAL**. 2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) 1-43 is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) 1-43 is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date 5/13/05.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

2. Claims 1-14, 25-43 are rejected under 35 U.S.C. 103(a) as being unpatentable over Brown et al (6587822) in view of Ladd et al (6470317).

As per claims 1,13,30, Brown et al (6587822) teaches a speech recognition interface for a speech recognition engine (as speech recognition interface for web based applications – abstract) comprising:

"a compiler.....markup language" as using compiled grammar (col. 3 lines 1-10) in a HTML environment (col. 13 lines 43-51);

"a grammar engine.....recognition engine" as constructing a dialog system (col. 14 lines 17-21).

As per claims 1,13, and 30, Brown et al (6587822) does not explicitly teach the plurality of markup language elements containing start and end tags, however, Ladd et al (6470317) teaches the use of start and end tags in a markup language setup applied to the

grammars (col. 16 lines 29-40). Therefore, it would have been obvious to one of ordinary skill in the art of grammar constructions at the time the invention was made to modify the grammar constructions of Brown et al (6587822) with start and end tags because it would allow the program to continue based on the user's response, which would enable faster program execution. (Ladd et al (6470317), col. 17 lines 20-34).

As per claim 2, Brown et al (6587822) teaches markup language grammar as an extensible markup language (col. 3 lines 40-52).

As per claim 3, Brown et al (6587822) teaches context free grammar (Col. 12 lines 33-39).

As per claims 4,27,29,32, Brown et al (6587822) teaches switchable grammar tags (col. 13 lines 53-62; col. 14 lines 44-50).

As per claims 5,6,14,28,31, Brown et al (6587822) teaches dictation tags to switch grammars, during recognition of phrases (between email and voice –col. 14 lines 30-50).

As per claims 7,8,25,26,29,33-40 Brown et al (6587822) teaches text buffer tags for sub-sequence of words (as using a semantic parser to recognize key phrases and the interpreting the phrase -- col. 13 lines 18-36).

As per claims 9-12,41-42 Brown et al (6587822) teaches the use of rule tags/script tags to limit the grammar structure to be used by the speech recognition engine (as sub-tags structures for word recognition → col. 13 line 25 – col. 14 line 64).

3. Claims 15-24 are rejected under 35 U.S.C. 103(a) as being unpatentable over the combination of Brown et al (6587822) in view of Ladd et al (6470317) in further view of Martin (5642519).

As per claim 15, the combination of Brown et al (6587822) in view of Ladd et al (6470317) does not explicitly teach semantic based selections via rule tags, however, Martin (5642519) teaches semantics determined by rule tags (col. 18 lines 10-20). Therefore, it would have been obvious to one of ordinary skill in the art of speech grammars for recognition to modify the teachings of the combination of Brown et al (6587822) in view of Ladd et al (6470317) with p.o.s., dictation tags, and sequence of words based tags because it would improve recognition rates with distinct languages (Martin (5642519), col. 3 lines 29-36).

As per claim 16, the combination of Brown et al (6587822) in view of Ladd et al (6470317) in view of Martin (5642519) teaches rule reference tags for a second grammar structure (Martin (5642519), col. 18 lines 24-29).

As per claim 17, the combination of Brown et al (6587822) in view of Ladd et al (6470317) in view of Martin (5642519) teaches interpreter attributes controlled by rule tags (Martin (5642519), col. 16 line 65 – col. 17 line 6).

As per claim 18, the combination of Brown et al (6587822) in view of Ladd et al (6470317) in view of Martin (5642519) teaches limiting the resource with a rule tag (Martin (5642519), as limiting the choices → col. 18 lines 24-29).

As per claim 19, the combination of Brown et al (6587822) in view of Ladd et al (6470317) in view of Martin (5642519) teaches rule tags received via semantic recognition (Martin (5642519), col. 17 lines 52-65).

As per claim 20, the combination of Brown et al (6587822) in view of Ladd et al (6470317) in view of Martin (5642519) teaches writing/executing script according to rule tags (col. 7 line 60 – col. 8 line 50).

As per claim 21, the combination of Brown et al (6587822) in view of Ladd et al (6470317) in view of Martin (5642519) teaches semantic property names according to rule tag delimited speech grammar (Martin (5642519),Col. 15 lines 33-50).

As per claims 22-24, the combination of Brown et al (6587822) in view of Ladd et al (6470317) does not explicitly teach grammar switch tags based on part of speech, dictation tags,

and sequence of words, however, Martin (5642519) teaches a grammar compiled teachings part of speech, dictation tags, and sequence of words (phrase) (col. 24 lines 49-67). Therefore, it would have been obvious to one of ordinary skill of the art of speech grammars for recognition to modify the teachings of Brown et al (6587822) with p.o.s., dictation tags, and sequence of words based tags because it would improve recognition rates with distinct languages (Martin (5642519), col. 3 lines 29-36).

Response to Arguments

4. Applicant's arguments with respect to the claims have been considered but are moot in view of the new ground(s) of rejection. Applicant's arguments pertain to the newly amended claim language, which has been addressed above in the new grounds of rejection.

Conclusion

5. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period

will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

6. Any response to this action should be mailed to:

Commissioner of Patents and Trademarks
Washington, D.C. 20231
or faxed to:
(703) 872 9314,
(for informal or draft communications, please label "PROPOSED" or "DRAFT")
Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive, Arlington. VA., Sixth Floor (Receptionist).

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Michael Opsasnick, telephone number (571)272-7623, who is available Tuesday-Thursday, 9am-4pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Mr. Wayne Young, can be reached at (571)272-7582. The facsimile phone number for this group is (571)272-7629.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group 2600 receptionist whose telephone number is (571) 272-2600, the 2600 Customer Service telephone number is (571)272-2600.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

mno
7/8/05

SUSAN MCFADDEN
PRIMARY EXAMINER